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FM AMEMBASSY GEORGETOWN  
TO RUEHC/SECSTATE WASHDC 2880  
INFO RUCNCOM/EC CARICOM COLLECTIVE  
RUEHBR/AMEMBASSY BRASILIA 0875  
RUEHCV/AMEMBASSY CARACAS 0157  
RUEHLO/AMEMBASSY LONDON 0077  
RUEAWJA/DEPT OF JUSTICE WASHINGTON DC  
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C O N F I D E N T I A L GEORGETOWN 001313

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CARACAS FOR LEGATT,  
PORT OF SPAIN ALSO FOR DEA AND LEGATT,  
JUSTICE FOR OPDAT - RLIPMAN,  
SOUTHCOM ALSO FOR POLAD

E.O. 12958: DECL: 12/15/2015  
TAGS: SNAR EFIN PGOV KCRM GY  
SUBJECT: GLIMMER OF HOPE IN GUYANA'S ANTI-MONEY LAUNDERING  
FIGHT

REF: A. GEORGETOWN 323  
B. GEORGETOWN 370

Classified By: Political Officer Benjamin Canavan  
for reason 1.4(b)

¶1. (C) SUMMARY: Guyana's Director of Public Prosecutions met with PolOff on December 13 and indicated that she is preparing what would be a watershed money laundering case. Two suspects implicated in a 2004 UK drug bust received wire transfers in Guyana in 2002 totaling almost USD 300,000 and exchanged that money into Guyanese currency. END SUMMARY.

¶2. (C) On December 13, PolOff met with Acting Director of Public Prosecutions (DPP) Shalimar Ali-Hack. The DPP is an independent entity responsible for the prosecution of major criminal cases in the High Court and less serious criminal offenses in the magistrates' courts. Ali-Hack has spent her entire career in the DPP's office, becoming Acting DPP in January 2005. During the meeting, she mentioned a money laundering case that she is prosecuting herself in the hopes of winning a landmark first conviction on money laundering charges in Guyana.

¶3. (C) The two suspects in the case owned one property and rented another in London when British authorities raided them in 2004. The raids revealed the properties to house operations making crack cocaine. UK authorities also found approximately USD 70,000 and GBP 70,000 in cash at these locations. The connection to Guyana is that the same two suspects received wire transfers of approximately USD 300,000 in Guyana in 2002. The suspects then exchanged the USD for Guyanese dollars in two tranches at a local currency exchange "cambio".

¶4. (C) Ali-Hack wants to prosecute this case using the provisions of the Money Laundering (Prevention) Act of 2000. The consensus view of those trying to combat drug trafficking and money laundering in Guyana is that the existing law is too weak to effectively try persons suspected of committing these crimes. The head of Guyana's Financial Intelligence Unit is currently completing an amendment to the money laundering legislation that he hopes to table in parliament in 2006. A successful prosecution by Ali-Hack would be an

unprecedented event in Guyana where the courts have to date failed to punish those responsible for drug trafficking.

¶15. (U) Efforts to indict people on drug trafficking and money laundering charges in Guyana are hampered by several statutory restrictions. Only original documents can be admitted into evidence. This precludes everything from electronic surveillance to testimony by video link. No witness protection program exists. Guyanese regulations do not allow plea-bargaining or immunity, making it almost impossible to convince drug mules to cooperate. Cases often take years to reach trial. Even before reaching trial stage, a Magistrate's Court will hold a preliminary inquiry equivalent to a full trial at which witnesses appear and evidence is presented. Only then will the judge commit the case to the High Court, where the trial is repeated. These hurdles have prevented many narcotics cases from resulting in prosecutions.

¶16. (C) The Director of Public Prosecutions position has been vacant since September 2002 when the former DPP was wounded in a drive-by shooting. Advertisements for the position have appeared recently in local newspapers. Ali-Hack intends to apply for the permanent position herself. Other potential candidates include Justice of Appeal (and former DPP) Ian Chang and Justice William Ramlall. Justice Chang served on the Presidential Commission of Inquiry that exonerated former Minister of Home Affairs Ronald Gajraj in March 2005 of involvement in extra-judicial killings (see reftels).

BULLEN